

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ORIN KRISTICH,

Plaintiff,

vs.

No. CIV 15-1147 JB/LAM

METROPOLITAN DETENTION CENTER;
OFFICER MICHAEL HENKER, and
OFFICER SANCHEZ,

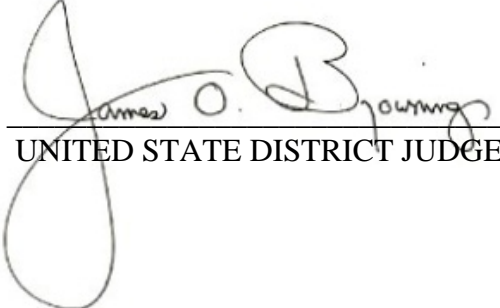
Defendants.

FINAL ORDER OF DISMISSAL WITHOUT PREJUDICE

THIS MATTER comes before the Court under rule 41(b) of the Federal Rules of Civil Procedure on the failure of Plaintiff Orin Kristich to respond to the Court's Order to Show Cause filed March 10, 2017 (Doc. 25)("Order"). In the Order, the Court noted that certain mailings to Plaintiff were returned as undelivered. See Mail Returned as Undeliverable, filed September 15, 2016 (Doc. 20); Mail Returned as Undeliverable, filed September 19, 2016 (Doc. 21); Mail Returned as Undeliverable, filed September 19, 2016 (Doc. 22); Mail Returned as Undeliverable, filed October 11, 2016 (Doc. 23); Mail Returned as Undeliverable, filed October 19, 2016 (Doc. 24). The Order stated that "[i]t appears that Plaintiff has been transferred or released from custody without advising the Court of his new address, as required by D.N.M. LR-Civ. 83.6, thus severing contact with the Court." Order at 1. The Order ordered Kristich to notify the Clerk in writing of his current address or otherwise show cause why the Court should not dismiss this action no later than twenty-one days after the Court enters the Order. See Order at 1. The Court advised Kristich that failure to comply with the Order may result in dismissal without further notice. (Doc. 25).

More than twenty-one days have elapsed since the Order's entry, and Kristich has failed to notify the Clerk in writing of his current address, show cause why the Court should not dismiss the case, or otherwise respond to the Court's Order. The Court may dismiss an action under rule 41(b) for failure to prosecute, to comply with the Federal Rules of Civil Procedure, or to comply with court orders. See Olsen v. Mapes, 333 F.3d 1199, 1204 n.3 (10th Cir. 2003). The Court will therefore dismiss this civil proceeding pursuant to rule 41(b) for failure to comply with the Court's Order.

IT IS ORDERED that the Plaintiff's Civil Rights Complaint Pursuant to 42 U.S.C. § 1983, filed on December 16, 2015 (Doc. 1), is dismissed without prejudice.



UNITED STATE DISTRICT JUDGE

Parties:

Orin Kristich

Plaintiff pro se

-- and --

Metropolitan Detention Center
Officer Michael Henker
Officer Sanchez

Defendants